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10 Attorneys for Defendants,
11 TESLA, INC. DBA TESLA MOTORS, INC.

12
13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15 DEMETRIC DI-AZ, OWEN DIAZ AND
LAMAR PATTERSON

16 Plaintiffs,

17 v.

18 TESLA, INC. DBA TESLA MOTORS,
19 INC., CITISTAFF SOLUTIONS, INC.;
WEST VALLEY STAFFING GROUP;
20 CHARTWELL STAFFING SERVICES,
INC.; NEXTSOURCE, INC.; and
21 DOES 1-10, inclusive

22 Defendants.

Case No. 17-cv-06748-WHO

**DECLARATION OF PATRICIA M. JENG IN
SUPPORT OF DEFENDANT TESLA, INC.'S
ADMINISTRATIVE MOTION TO FILE
DOCUMENTS UNDER SEAL IN SUPPORT
OF DEFENDANT'S REPLY TO
PLAINTIFFS' MEMORANDUM OF POINTS
AND AUTHORITIES IN OPPOSITION TO
TESLA, INC.'S MOTION FOR PARTIAL
SUMMARY JUDGMENT AS TO CLAIMS
FOR UNRUH CIVIL RIGHTS ACT AND
PUNITIVE DAMAGES**

23 Date: December 17, 2019
Time: 9:30 a.m.
24 Courtroom: 2, 17th Floor
Judge: Hon. William H. Orrick

25 Trial date; March 2, 2020
26 Complaint filed: October 16, 2017

27 *[Filed concurrently with Defendant's
Administrative Motion to File Documents Under
Seal and Proposed Order]*

1 I, Patricia M. Jeng, declare as follows:

2 1. I am an attorney with Sheppard Mullin Richter & Hampton, LLP, counsel of record
3 for Tesla, Inc. dba Tesla Motors, Inc. ("Tesla" or "Defendant"). I submit this Declaration in
4 support of Tesla's Motion to File Documents Under Seal In Support of Defendant's Reply to
5 Plaintiffs' Memorandum of Points and Authorities in Opposition to Tesla, Inc.'s Motion for Partial
6 Summary Judgment as to Claims for Unruh Civil Rights Act and Punitive Damages. I make this
7 declaration as to my own personal knowledge and, if called as a witness, I could and would
8 competently testify to all facts contained herein.

9 2. On June 18, 2018, a Stipulated Protective Order was entered in this matter. (Dkt.
10 No. 50.) The Order allows a producing party to designate a document or other evidence
11 "CONFIDENTIAL" where it contains information which qualifies for protection under Federal
12 Rule of Civil Procedure 26(c).

13 3. Exhibit 25 to this declaration consists of true and correct copies of relevant excerpts
14 from the deposition of Owen Diaz, taken on May 22, 2018 and Exhibit 8 to the deposition of
15 Owen Diaz, which Tesla marked as "confidential" pursuant to the Stipulated Protective Order and
16 should be sealed because the excerpts contain personnel information and workplace information
17 about Tesla employees or contract workers who are not parties to this litigation, including
18 complaints and confidential investigations. Disclosing such information would constitute an
19 invasion of privacy and could also impede future Tesla workplace investigations.

20 I declare under penalty of perjury under the laws of the United States of America that the
21 foregoing is true and correct.

22 Executed this 5th day of December 2019, at San Francisco, California.

23 By /s/ Patricia M. Jeng
24 PATRICIA M. JENG
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